



Appendix B-6 Congressional Committees



Program Manager and other Federal employees are forbidden by law to lobby Congress or OMB.

a. Background and Purpose

Congress plays a key role in the approval of DOE program funding. The Congressional budget process starts with the receipt of the President's budget request and ends with passage of the final appropriations bills (unless a Presidential veto ensues). Congressional committees with jurisdiction over EERE's budget have a major effect on specific programs and funding levels. Authorization committees exert programmatic oversight and recommend funding levels. Appropriations committees set the final budgets.

b. Restrictions on Communication with Congress

There is temptation to contact Congressional members and staff directly to solicit support for individual programs. **Unfortunately, program managers and other staff who contact members of Congress and their staffs to solicit support are directly violating the 1913 Anti-Lobbying Act which prohibits Federal employees or agencies from influencing members of Congress.** Direct contact with the Office of Management and Budget (OMB) for the purpose of influencing budgets is similarly forbidden. While non-Government citizens and stakeholders are able to directly lobby Congress, the program manager must resist the temptation to direct these individuals to lobby for any DOE programs.

Direct contact for purposes of lobbying or influencing members of Congress, their staffs, and OMB is forbidden by law and violation will result in formal reprimand. Contact that violates the civil anti-lobbying law can result in penalties including fine and jail. In addition to the civil penalties, violation of the anti-lobbying law constitutes misconduct and may provide grounds for termination of employment.

To avoid difficulties with violation of anti-lobbying laws, EERE has set up procedures to ensure that information flows through the appropriate channels.

Program Manager shall not direct stakeholders to lobby Congress.

Program Managers must follow DOE procedures for all communications with Congress or OMB.

The specific routing steps required for various Congressional communications are detailed in of this guide. However, all communication with members of Congress, their staff, and OMB must, at a minimum, be routed through the Deputy Assistant Secretaries and the Congressional and Intergovernmental Affairs Office (CI-1) for authorization related actions or through the Office of Chief Financial Officer (CR-1) for appropriation related actions.

While direct communication below the DAS level is not allowed, it is important that the program manager know which committees and subcommittees have budgetary jurisdiction for their program. It is also important to know who the key members are and what their interest and past support have been. This information can provide useful insight when responding to Congressional inquiries such as committee questions, Capability Statements, and Impact Statements.

Authorization committees recommend funding levels.

Congressional legislation and committees fall into two general categories: authorization and appropriations. The Authorization committees provide the technical and programmatic oversight and legislative responsibilities for agencies and programs within their jurisdiction. Legislation that emerges from these committees provides program oversight and funding authorization but *does not dictate the actual final funding level*.

Appropriations committees set actual funding levels.

The Appropriations committees are responsible for producing legislation that provides the funds for supporting Government programs. They are also responsible for rescission and reprogramming funds.

It is important to understand that final program funding is determined by the appropriations legislation and that funds specified in authorization legislation are not necessarily funded at the same levels (or at all).

c. Additional Resources

For answers to questions or to provide updated information regarding this House and Senate Sub-Committees guidebook section, contact the process guidebook owner for this section.

The Congressional Budget Process: An Explanation. Prepared by the Senate Committee on the Budget, Senate Print 100-89. Washington, DC: Government Printing Office, 1988.

Understanding Congressional Budgeting: Budget Handbook,
Washington DC: Congressional Quarterly, Inc., 1993.

Committee/Sub-Committee Listing and Members

- House - Clerk of the House: (202) 225-7000
- Senate - Secretary of the Senate: (202) 224-2115

Who's Who in Congress, Including Committees and Key Staff

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